

IN THE CLAIMS:

Please cancel Claims 1 to 4 and 7 without prejudice to or disclaimer of the subject matter recited therein, and amend Claim 5 to read as follows:

Claims 1 to 4 (Cancelled).

5. (Currently Amended) An information recording and/or reading apparatus comprising:

a base plate;

a support plate;

a spindle motor for rotating a disk by an output shaft perpendicular to said base plate;

a rotary alignment control device supported on said support plate and for determining a rotation position of a recording/reading head of a head unit about a rotary alignment axis parallel to the output shaft of said spindle motor;

a vertical pivot shaft extending parallel to the rotary alignment axis; and

a pivotal support mechanism for pivoting supporting said support plate, on which said rotary alignment control device is supported, to be pivotal about said vertical pivot shaft relative to said base plate.

6. (Original) An apparatus according to claim 5, further comprising:

a moving stage which mounts said spindle motor; and

a stage driving mechanism for driving said moving stage toward or away from the rotary alignment axis.

Claim 7 (Cancelled).